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10/778,031	02/17/2004	Hung Hsiang Hsu	MR2863-153	6167
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ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER BURROWES, LAWRENCE J	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/778,031

Applicant(s)

HSU, HUNG HSIANG

Examiner

LAWRENCE J. BURROWES

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informalities:

In claim 11 line 1, it is suggested applicant change "the location" to ---the SIP location---.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Read (WO/2002/11400).

For claim 1, Read discloses a routing protocol device integrated with SIP call server (see Figure 1 Box 40 and Page 12 lines 18-21, proxy server between two networks), the routing protocol device being provided between a first and a second network systems (see Figure 1 Box 2 and 4, Enterprise A and Enterprise B), the SIP call server being an Session Initiation Protocol architecture (see Page

11 lines 1-22, SIP) which can be coupled with plurality remote SIP agent client devices (see Figure 1 Box 2 and 4, Enterprise A and Enterprise B and its terminals), the routing protocol device comprising:

a first connecting port coupled with the first network system (see Figure 1 Box 40 and Page 12 lines 18-21, proxy server connected by and interface to Enterprise A);

a second connecting port coupled with the second network system (see Figure 1 Box 40 and Page 12 lines 18-21, proxy server connected by and interface to Enterprise B); and

a data packet processing module electrically connected to the first and second connecting ports for executing: a routing protocol program to select the data packet transmission path of the first and second network systems (see Page 21 lines 10-25, when a call is placed the packets are processed by the server in order to route them to the proper terminal on either Enterprise A or B); and at least one SIP servo program, whereby after the remote SIP agent client devices perform SIP registry and the locations are linked, an SIP IP phone loop is formed for remote voice telecommunication (see Figure 1 Box 40, SIP servo program is the device acting as a SIP proxy server).

Regarding claim 2, wherein the first and second network systems are Internets or LAN (see Figure 1 Box 2 and 4, Enterprise A and Enterprise B are LANs).

Regarding claim 3, wherein the first network system is coupled with a first remote SIP agent client device (see Figure 1 Box 10 and Page 12 lines 18-21,

Enterprise A LAN is connected to a terminal), while the second network system is coupled with a second remote SIP agent client device (see Figure 1 Box 12 and Page 12 lines 18-21, Enterprise B LAN is connected to a terminal).

Regarding claim 4, wherein the first and second remote SIP agent client devices are computer mainframes for converting voice signal into digital signal or converting digital signal into voice signal for bidirectional voice telecommunication (see Figure 1 Box 10 and 12 and Page 1 lines 7-19, the computers transfers voice, video and data service between each other).

Regarding claim 5, wherein the remote SIP agent client device is a computer mainframe, a network hub, an IP phone gateway or a PSTN gateway (see Figure 1 Box 10 and 12 and Page 1 lines 7-19, the computers/PSTN transfers voice, video and data services between each other).

Regarding claim 6, wherein by means of executing the routing protocol program, the data packet processing module selects the data packet transmission path of the first network system via the first connecting port (see Page 21 lines 10-25, when a call is placed the packets are processed by the server in order to route them to the proper terminals port on either Enterprise A or B).

Regarding claim 7, wherein by executing the routing protocol program, the data packet processing module selects the data packet transmission path of the second network system via the second connecting port (see Page 21 lines 10-25,

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when a call is placed the packets are processed by the server in order to route them to the proper terminals port on either Enterprise A or B).

Regarding claim 8, wherein by executing the SIP servo program, the data packet processing module forms an SIP proxy server, an SIP registry server or an SIP location server (see Page 19 lines 14-20, SIP registrar or SIP Proxy Server).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Read in view of Moyer et al (2002/0103898) hereafter Moyer.

For claim 9, Read disclose all the limitation of the claimed invention except the SIP registry server enables the remote SIP agent client devices to perform SIP registry so as to store the SIP URI of the remote SIP agent clients.

Moyer from the same or similar field of endeavor teaches the SIP registry server enables the remote SIP agent client devices to perform SIP registry so as to store the SIP URI of the remote SIP agent clients (see Paragraph 0019, SIP registrar stores addresses).

For claim 10, Read disclose all the limitation of the claimed invention except the SIP proxy server serves to transmit the INVITE asking sent from the remote SIP agent client device so as to perform voice phone call.

Moyer from the same or similar field of endeavor teaches the SIP proxy server serves to transmit the INVITE asking sent from the remote SIP agent client device so as to perform voice phone call (see Paragraph 0014 and 0017, SIP proxy server send INVITE messages in order to create sessions).

For claim 11, Read disclose all the limitation of the claimed invention except the location server serves to seek the location of the remote SIP agent client device and convert the location into SIP URI of the remote SIP agent client, whereby the remote SIP agent client devices can directly bidirectionally telecommunicate with each other by voice,

Moyer from the same or similar fields of endeavor teaches the location server serves to seek the location of the remote SIP agent client device and convert the location into SIP URI of the remote SIP agent client, whereby the remote SIP agent client devices can directly bidirectionally telecommunicate with each other by voice (see Paragraph 0018, the redirect server maps the addresses of the clients so they can communicate through the proxy server).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the SIP registrar, proxy or redirect server of Moyer into the VOIP system of Read by programming the proxy server to act as a registrar. The motivation to do so would be so that information between the servers, which would enhance the calls being made.

7. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Read in view of the official notice

For claims 12 and 13, Read disclose all the limitations of the claimed invention except the data packet processing module includes: a microprocessor unit mainly serving to execute the routing protocol program and the SIP servo program; and a ROM memory unit electrically connected with the microprocessor unit for storing at least one executed program, the URI of the remote SIP agent client and the data packet to be transmitted.

Examiner takes official notice a routing device has a CPU connected to memory to store the program, which is a microprocessor unit that would execute programs stored in memory.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify/implement the CPU and memory into the VOIP system of Read. The motivation to do so would be so that any available processor and memory combination could be used to lower the cost of the system.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Vassilovski et al (6845092), Donovan et al (6615236), Hardjono (6842449), Schoeneberger et al (7012888) and Nix et al (7145900).

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAWRENCE J. BURROWES whose telephone number is (571) 270-1419. The examiner can normally be reached on Monday - Thursday 5:30am - 2pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan D. Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJB



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SUPERVISORY PATENT EXAMINER

Edan Orgad 10/1/07